



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,274	08/01/2003	Jason Cahill	MSFT-2186/302766.2	5484
41505 7590 11/16/2007 WOODCOCK WASHBURN LLP (MICROSOFT CORPORATION) CIRA CENTRE, 12TH FLOOR 2929 ARCH STREET PHILADELPHIA, PA 19104-2891			EXAMINER DADA, BEEMNET W	
			ART UNIT 2135	PAPER NUMBER
			MAIL DATE 11/16/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/632,274

Applicant(s)

CAHILL ET AL.

Examiner

Beemnet W. Dada

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 August 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 10/14/03.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

DETAILED ACTION

1. Claims 1-18 have been examined

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Peinado et al.

WO 00/59150 (submitted with IDS filed on 10/14/03) (hereinafter Peinado).

3. As per claim 1, 7, 10 and 16, Peinado teaches a method for rendering content encrypted according to a cryptographic key, the content having corresponding rights data including a decryption key (KD) for decrypting the encrypted content, (KD) in the rights data being encrypted according to a public key of a rights management (RM) server (PU-RM) to result in (PU-RM(KD)), whereby only the RM server having a private key (PR-RM) corresponding to (PU-RM) can apply same to (PU-RM(KD)) from the rights data to obtain (KD), and whereby the RM server normally delivers (KD) within a license that is bound to the content, and whereby the RM server upon being

decommissioned can no longer issue any such license, the method comprising:

receiving a notification that the RM server has been decommissioned [page 32, line 11 - page 33, line 29 and page 35, lines 4-22];

attempting to render a piece of content [page 38, lines 16-23];

determining that such content is protected to the decommissioned RM server [page 39, lines 2-23 and page 32, line 11 - page 33, line 29];

sending a request to the decommissioned RM server for the content key (KD) for the content rather than any license; and receiving (KD) from the decommissioned RM server page 39, line 3 – page 41, line 3].

4. As per claims 2 and 11, Peinado further teaches the method comprising sending the request including the rights data corresponding to the content, whereby the RM server retrieves (KD) from the rights data [page 39, lines 2-23 and page 32, line 11 - page 33, line 29].

5. As per claim 3, Peinado further teaches the method comprising receiving (KD) from the decommissioned RM server in a non-protected form [page 39, lines 2-23 and page 32, line 11 - page 33, line 29].

6. As per claims 4, 9, 13 and 18, Peinado further teaches the method comprising receiving (KD) from the decommissioned RM server encrypted according to a public key (PU) to result in (PU(KD)), and further comprising applying a corresponding private key (PR) to (PU(KD)) to result in (KD) form [page 39, lines 2-23 and page 32, line 11 - page 33, line 29].

7. As per claims 5, 6, 8, 12, 14, 15 and 17, Peinado further teaches the method further comprising applying (KD) to the content to reveal same in a naked form without any RM protection [page 39, lines 2-23 and page 32, line 11 - page 33, line 29].

Conclusion

Application/Control Number:
10/632,274
Art Unit: 2135

Page 4

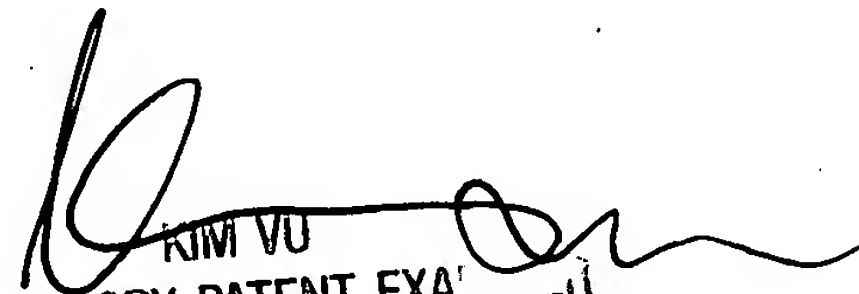
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beemnet W. Dada whose telephone number is (571) 272-3847. The examiner can normally be reached on Monday - Friday (9:00 am - 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Beemnet W Dada

November 12, 2007


KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100